

REMARKS

Applicants appreciate the Examiner's careful review of the application as detailed in the Office Action dated October 12, 2011 (the "Office Action").

Claim 1 has been amended and new dependent claim 15 has been added. Claim 4 has been deleted. Claims 1-3 and 5-15 are currently pending.

Reconsideration of the rejection of claims 1-14 in the previous Office Action under 35 U.S.C. § 103(a) is requested in light of the following remarks and above amendments.

Claim Amendments

Claim 1 has been amended to define the woven fabric, and now recites "wherein the woven fabric comprises a warp yarn and a weft yarn and is configured so that the weft yarn is able to move relative to the warp yarn in an intersection between the warp and weft yarns in a punch hole portion when an impact load is applied for detaching a bag from the display strip." Support for this amendment can be found at least at [0015] on Pages 6-7 of the Specification.

New claim 15 has been added to further define the weft yarn and warp yarn. Support for this new claim can be found at least at [0015] on Pages 6-7 of the Specification.

Therefore, no new matter has been introduced by the amendments.

Foreign Priority

The Office Action indicated that the JP 2004-202150 priority document is not in the PTO file, but that the Form 903 indicates that it was received from the International Bureau. The Office Action stated that the Examiner has initiated a search of the PTO files for the document. Should the Examiner not locate the foreign priority document on file from the International Bureau, Applicants respectfully request that the Examiner indicate this in future communications so that Applicants can resubmit any necessary documents to ensure foreign priority is recognized.

Claim Rejections Under 35 U.S.C. 103(a)

The Office Action rejected claims 1-14 under 35 U.S.C. 103(a) as being unpatentable over Iwasaki (U.S. 2004/0040919 A1) in view of Lappala (U.S. 3,214,320) further in view of Wallace (U.S. 4,949,664).

In the present invention, the punch hole of the display strip has very high strength such that damage the display strip is prevented from being damaged by the weight of products or impacts applied by detaching the product-enclosed bag. This high strength is achieved by using a woven fabric comprising a warp yarn and a weft yarn, the fabric being configured so that the weft yarn is able to move relative to the warp yarn in an intersection between the warp and weft yarns in a punch hole portion when an impact load is applied for detaching a bag from the display strip. The woven fabric of the present invention has a relatively small contact area between the warp yarn and weft yarn, and therefore when an impact load is applied, contact portions between the warp yarn and weft yarn are broken so that the weft yarn can absorb the impact.

Iwasaki discloses a display strip comprising a substrate layer and a sealant layer with a punch hole formed at an upper portion. However, in contrast to the claimed invention, Iwasaki does not teach a substrate layer comprising a “woven fabric.” Iwasaki discloses a substrate layer, but does not teach that the substrate layer contains a woven fabric as required by claims. Even more particularly, Iwasaki does not disclose a woven fabric that is “configured so that the weft yarn is able to move relative to the warp yarn in an intersection between the warp and weft yarns in a punch hole portion when an impact load is applied for detaching a bag from the display strip” as is required by amended claim 1.

Lappala teaches the use of a nonwoven scrim to reinforce a composite film layers against tears. The Office Action stated that it would have been obvious to one of ordinary skill in the art to have used a nonwoven scrim between the heat seal and substrate layers of Iwasaki in order to increase the tear strength of the laminate because of the teachings of Lappala. The Office Action then states that it would have been obvious to substitute a woven fabric for the non-woven scrim of Lappala because of the teachings of Wallace. However, Lappala teaches an invention that is a replacement for fabric materials, and therefore there would not be a motivation to combine the teachings of Lappala with the woven fabric teachings of Wallace. *See*, Lappala at Col. 1, Lines 20-22. The film of Lappala is disclosed as a replacement for woven fabrics, and therefore it would not be obvious to modify the teachings of Lappala to include a woven fabric as disclosed in Wallace.

As discussed above, the present invention provides the display strip having a punch hole with very high strength such that the display strip is prevented from being damaged by the weight of products or the impact force applied when detaching the product-enclosed bags.

Lappala does not teach these features. In contrast to the present invention, Lappala states “The resistance of the laminate to tear was superior when rupturing forces were slowly applied. The tear resistance was markedly reduced when the material was subjected to suddenly applied forces.” *See*, Lappala at Col. 4, lines 25-29.

The nonwoven scrim of Lappala is a grid of reinforcing strands. In this nonwoven scrim, the cross section of the strands is not fixed and they are merely piled. Therefore, even if the nonwoven scrim of Lappala is used between the heat seal and substrate layers of Iwasaki, the combination would not result a display strip comprising the reinforcement effect of the present invention. Lappala does not teach or suggest the use of a woven fabric with a warp yarn and a weft yarn being configured so that the weft yarn is able to move relative to the warp yarn in an intersection between the warp and weft yarns in a punch hole portion when an impact load is applied for detaching a bag from the display strip

The Office Action further stated that it would have been obvious to have used a woven scrim layer instead of a nonwoven scrim because of the teachings of Wallace that this also forms a good substrate reinforcement. However, as discussed above, it would not have been obvious to replace the nonwoven scrim of Lappala with a woven fabric because Lappala teaches that the nonwoven scrim is a replacement for such fabrics.

Additionally, Wallace does not teach the features of amended claim 1 of a woven fabric that comprises “a warp yarn and a weft yarn and is configured so that the weft yarn is able to move relative to the warp yarn in an intersection between the warp and weft yarns in a punch hole portion when an impact load is applied for detaching a bag from the display strip.”

Therefore, the combination of Iwasaki, Lappala and Wallace does not teach the features of amended claim 1. Applicants respectfully submit that the claimed invention is not obvious in view of the teachings of Iwasaki, Lappala and Wallace, and Applicants therefore respectfully request that the rejection of claims 1-14 under 35 U.S.C. 103(a) be withdrawn. Applicants respectfully request allowance of pending claims 1-3 and 5-15.

CONCLUSION

In view of the foregoing, the Applicants respectfully request that the Examiner consider the claims on the merits. A timely allowance of the pending claims is requested.

If there are any fees due in connection with the filing of this Response, please charge any necessary fees or credit any overpayments to Deposit Account No. 50-1349.

The Examiner is invited to contact Applicants' undersigned attorneys by telephone to discuss any matters if the Examiner feels such discussions may expedite the progress of the present application toward allowance.

Respectfully submitted,

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